

be certified to be in sound condition as a result of an inspection performed by a licensed building inspector and that the municipality is required under COAH's rules to provide a minimum of \$25,000 per unit for moderate-income units or \$30,000 per unit for low-income units.

The Borough plans to meet with rental property owners to gauge interest in the program. Once approved by COAH, the Borough will begin an aggressive campaign to advertise the program, its requirements and benefits for both the property owner and the Borough. Dumont proposes to convert one market-rate apartment to a deed-restricted affordable family unit. This mechanism would yield **one credit**.

APARTMENT COMPLEXES WITHIN THE BOROUGH OF DUMONT				
Block	Lot	Location	Development Name	Apartments
321	14	269 Larch Ave.		28
322	18	Knickerbocker Rd.		18
325	5	360 Knickerbocker Rd.	Birchwood Gardens	36
507	13	445 Washington Ave.		5
507	16	8 Grant Ave.		18
510	1	Wood Pl.		16
513	26	8 East Linden Ave.		1
601	23	34-38 Grant Ave.		24
724	17	186-192 West Madison Ave.		32
823	22	16 Roosevelt Ae.		8
824	12	Veterans Pl.		16
825	8	31 McKinley Ave.		22
1012	9	10 Knickerbocker Rd.		106
1101	1	403 West Madison Ave.		31
1201	18	90 Niagra St.		5
1211	2	Columbia Ave.	Kent Apts	48
1215	13	46 Washington Ave.		23
1217	13	32 East Quackenbush Ave.		16
1217	16	79 Washington Ave.	Brookwood Gardens	18
1219	5	45 Washington Ave.		13
1219	6	35 Washington Ave.		12
1219	30	Dulles Dr.	Dumont Terrace Apts	264
1220	15			
1221	14			
Total				760

#### 5. Development Fee Ordinance

Dumont proposes to adopt a development fee ordinance, which is attached to the HEFSP. The monies generated from the development fee ordinance will be used to create a local affordability assistance program (as required per COAH's rules), fund a market to affordable program and to pay for administrative expenses.

See the table on page 45 that illustrates how the Borough intends to satisfy the Third Round obligation.

EXISTING & PROPOSED THIRD ROUND CREDITS				
Project	Credit Type	Credit	Bonus	Total
David F. Roche	Prior Cycle (Rental)	8	-	8
Bethesda Lutheran	Group Home (VLI)	4	1	5
D'Angelo Inclusionary	Family (Rental)	14	7	21
D'Angelo Inclusionary	Family (Rental VLI)	3		3
Market to Affordable	Family (Rental)	1		1
Third Round Total				38
Yellow Highlight Denotes Proposed Mechanisms				

## Summary of Strategies

The Borough of Dumont proposes a variety of mechanism to satisfy its outstanding Rehabilitation, Prior Round and Third Round obligations as follows:

EXISTING & PROPOSED CREDITS				
Project	Credit Type	Credit	Bonus	Total
Rehabilitation				
Improvement Program	Rehabilitation	7	-	7
BC Housing Improvement Program	Rehabilitation	2		2
Saint Mary's Senior Residence	New Construction	22		22
Rehabilitation Total				31
Prior Round				
David F. Roche	Prior Cycle (Rental)	34	-	34
Prior Round Total				34
Third Round				
David F. Roche	Prior Cycle (Rental)	8	-	8
Bethesda Lutheran	Group Home (VLI)	4	1	5
D'Angelo Inclusionary	Family (Rental)	14	7	21
D'Angelo Inclusionary	Family (Rental VLI)	3		3
Market to Affordable	Family (Rental)	1		1
Third Round Total				38
Surplus Credits				
94 W. & 95 E. Schraalenburgh Way	Age-Restricted (Rental)	40	-	40
ARC of Bergen & Passaic	Group Home (VLI)	5	-	5
Community Options	Group Home	3	-	3
Saint Mary's Senior Residence	Age-Restricted (Rental)	27	-	27
Surplus Total				75
Yellow Highlight Denotes Proposed Mechanisms				

## 11) Implementation Schedule

IMPLEMENTATION SCHEDULE						
Project	2013	2014	2015	2016	2017	2018
Bergen County Home Improvement Program						
Improve homes						
D'Angelo Farms Inclusionary Development						
Rezone property						
Developer submits site plans						
Construction						
Residents occupy units						
Market to Affordable: Rental						
Outreach to apartment owners						
Execute Memorandum of Understanding						
Inspect Units						
Execute Deed Restriction						
Residents occupy units						
Development Fee Ordinance						
Collect Fees						

\\njncad\Projects\DUT\DUT-007\Reports\121813dag\_DUT\_HEFSP.docx

## 12) Appendix

1. Certified Land Use Board Resolution #13-12-01
2. Certified Mayor and Council Resolution #13-238
3. Certified Mayor and Council Resolution #13-239
4. Service List
5. Draft Affordable Housing Ordinance
6. Draft Development Fee Ordinance



**RESOLUTION NO. 13-12-01**

**RESOLUTION OF THE BOROUGH OF DUMONT PLANNING BOARD  
ADOPTING THE HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Planning Board of Borough of Dumont, Bergen County, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 on 12/17/13; and

**WHEREAS**, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b(3); and

**WHEREAS**, N.J.A.C. 5:94-2.2(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

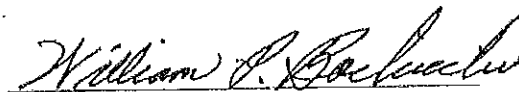
**WHEREAS**, N.J.A.C. 5:94-4.1(a) requires the preparation of a Fair Share Plan in accordance with the Housing Element of the Master Plan; and

**WHEREAS**, N.J.A.C. 5:94-4.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and


**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of Borough of Dumont held a public hearing(s) on the Housing Element and Fair Share Plan on December 17, 2013; and

**WHEREAS**, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Borough of Dumont's October 2007 (date) Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of Borough of Dumont, Bergen County, State of New Jersey, that the Planning Board hereby adopts the December 17, 2013 Housing Element and Fair Share Plan.

  
Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of Borough of Dumont, Bergen County, on December 17, 2013.

  
Rosalia Bob  
Planning Board Secretary





**2013  
BOROUGH OF DUMONT  
RESOLUTION**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
BROPHY	✓			
CARRICK	✓			
HAYES	✓			
RIQUELME	✓			
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Resolution No. **238**

Date: **December 17, 2013**

Page: **1 of 3**

Subject: **Housing Element and Fair Share Plan**

Purpose: **Endorsement**

Dollar Amount:

Prepared By: **Gregg Paster, Esq.**

Offered by:  
Seconded by:

*Brophy*  
*Zamechansky*

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by:

*Susan Connelly*  
**Susan Connelly, RMC, Municipal Clerk**  
**Borough of Dumont, Bergen County, New Jersey**

**RESOLUTION OF THE DUMONT BOROUGH COUNCIL PETITIONING WITH AN  
ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Planning Board of the Borough of Dumont, Bergen County, State of New Jersey, adopted the Housing Element of the Master Plan on December 17, 2013; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

**WHEREAS**, the Planning Board adopted the Fair Share Plan on December 17, 2013; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Fair Share Plan





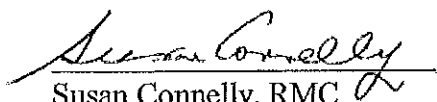
is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

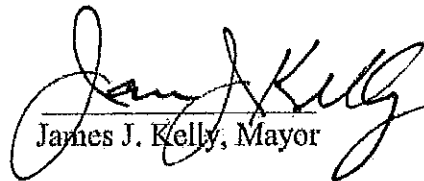
**NOW THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Dumont, Bergen County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Borough of Dumont Planning Board; and

**BE IT FURTHER RESOLVED**, that the Governing Body of Borough of Dumont, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Department of Community Affairs for review and certification; and

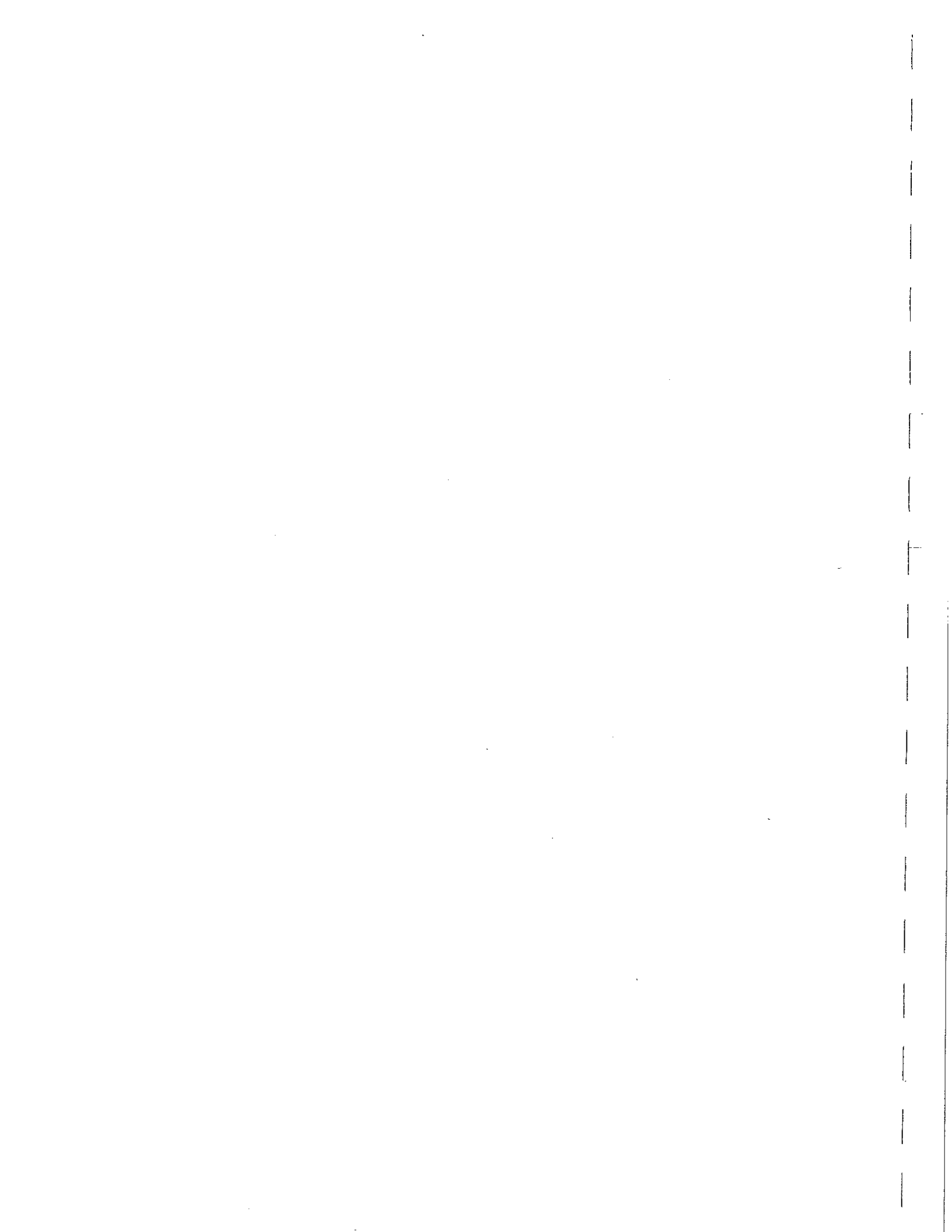
**BE IT FURTHER RESOLVED**, that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

**BE IT FURTHER RESOLVED**, that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Commissioner of the Department of Community Affairs indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Dumont municipal clerk's office located at 50 Washington Avenue, Dumont, NJ 07628, during the hours of 9AM to 4:30PM on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

  
Susan Connelly, RMC  
Municipal Clerk

  
James J. Kelly, Mayor

Date: December 17, 2013





**2013  
BOROUGH OF DUMONT  
RESOLUTION**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
BROPHY	✓			
CARRICK	✓			
HAYES	✓			
RIQUELME	✓			
STYLIANOU	✓			
ZAMECHANSKY	✓			
MAYOR KELLY				
TOTALS	6			

Resolution No. 239  
Date: December 17, 2013  
Page: 1 of 2  
Subject: Intent to Bond if necessary  
Purpose: Approval  
Dollar Amount: \_\_\_\_\_  
Prepared By: Gregg Paster, Esq.

Offered by:  
Seconded by:

Brophy  
Zamechansky

Certified as a true copy of a Resolution adopted by the Borough of Dumont on above date at a Regular Meeting by: Susan Connelly

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**Susan Connelly, RMC, Municipal Clerk  
Borough of Dumont, Bergen County, New Jersey**

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**RESOLUTION OF INTENT TO BOND IN THE EVENT THAT THERE IS A  
SHORTFALL IN FUNDING TO PURCHASE AND DEVELOP PROPERTY FOR  
AFFORDABLE HOUSING**

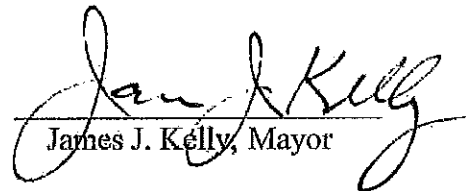
**WHEREAS**, the Borough of Dumont is submitting a Third Round Housing Element and Fair Share Plan to the Council on Affordable Housing, (hereinafter, COAH), which included within it provisions to potentially create a Market to Affordable Program for affordable housing purposes; and

**WHEREAS**, the Third Round Housing Element and Fair Share Plan required compliance with various COAH restrictions, rules and regulations; and

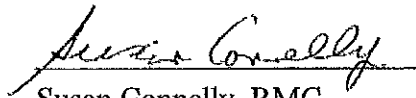


**WHEREAS**, the Borough of Dumont acknowledges the COAH rules and regulations that provide that, although utilization of a mandatory development fee ordinance is an appropriate mechanism to raise money for the purpose of off-setting the expenses incurred in connection with Housing Element and Fair Share Plan, that the mechanism must have an alternative in the event that insufficient monies are derived from the mandatory development fee ordinance or other resources, or the funds are not received in a timely fashion for the purpose of creating a Market to Affordable Program for affordable housing purposes.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Dumont that it does hereby establish its intent that in the event that the projected funding from the mandatory development fee ordinance the Borough will adopt in the near future and from other sources is insufficient to create a one unit Market to Affordable Program, it is the intention of the Borough Council of the Borough of Dumont to adopt appropriate bond ordinances in order to accomplish the funding in an appropriate time frame.

  
James J. Kelly, Mayor

ATTEST:

  
Susan Connelly, RMC  
Municipal Clerk

*CERTIFICATION*

I, Susan Connelly, RMC, Municipal Clerk, hereby certify that this resolution was duly adopted by the Borough of Dumont Council at a meeting duly held on the 17th day of December, 2013; that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.



# MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

A municipality that petitions the Department of Community Affairs (Department) for substantive certification or is otherwise participating in the Department's substantive certification process must include an updated service list in order for the Department to review its submittal. At the time it files or petitions for substantive certification a municipality must provide the Department with a Service List that includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

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**MUNICIPALITY, COUNTY**  
**SERVICE LIST**

N.J.A.C. 5:96-3.7

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<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	



**MUNICIPALITY, COUNTY**  
**SERVICE LIST**  
N.J.A.C. 5:96-3.7

2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

<b>PROJECT NAME</b>	<u>D'Angelo Farms</u>	<b>BLOCK</b>	<u>212, 215</u>
		<b>LOT</b>	<u>20, 1</u>
<b>PROPERTY OWNER</b>	<u>Jack &amp; Marylou D'Angelo</u>	<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>	<u>17 Heritage Court</u> <u>Hillsdale, NJ 07642</u>	<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

N.J.A.C. 5:96-3.7

N.J.A.C. 5:96-3.7

- |                |  |                  |                     |
|----------------|--|------------------|---------------------|
| <b>NAME</b>    | <u>Joseph J. Layton</u>                                  | <b>TITLE</b>     | <u>Planner</u>      |
| <b>EMAIL</b>   | <u>jlayton@maserconsulting.com</u>                       | <b>PHONE NO.</b> | <u>908-238-0900</u> |
| <b>ADDRESS</b> | <u>53 Frontage Rd., PO Box 4017</u><br>Clinton, NJ 08809 | <b>FAX NO.</b>   | <u>908-238-0901</u> |

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

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**MUNICIPALITY, COUNTY  
SERVICE LIST**

N.J.A.C. 5:96-3.7

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4. The names and addresses of relevant County, Regional and/or State entities; AND

<b>NAME</b>	Bergen County Planning Dept.	<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	201-336-6446
<b>ADDRESS</b>	One Bergen County Plaza, Fourth Floor	<b>FAX NO.</b>	201-336-6449
	Hackensack, NJ 07601		

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

N.J.A.C. 5:96-3.7

<b>NAME</b>	<u>Domingo Senande</u>	<b>TITLE</b>	<u>Exec. Director</u>
<b>EMAIL</b>	<u>Senande@habcnj.org</u>	<b>PHONE NO.</b>	<u>201-336-7600</u>
<b>ADDRESS</b>	<u>1 Bergen County Plaza</u> <u>Hackensack, NJ 07601</u>	<b>FAX NO.</b>	<u>201-336-7630</u>

<b>NAME</b>	<u>                    </u>	<b>TITLE</b>	<u>                    </u>
<b>EMAIL</b>	<u>                    </u>	<b>PHONE NO.</b>	<u>                    </u>
<b>ADDRESS</b>	<u>                    </u>	<b>FAX NO.</b>	<u>                    </u>
	<u>                    </u>		

<b>NAME</b>	_____	<b>TITLE</b>	_____
<b>EMAIL</b>	_____	<b>PHONE NO.</b>	_____
<b>ADDRESS</b>	_____	<b>FAX NO.</b>	_____
	_____		_____

<b>NAME</b>	<u>                    </u>	<b>TITLE</b>	<u>                    </u>
<b>EMAIL</b>	<u>                    </u>	<b>PHONE NO.</b>	<u>                    </u>
<b>ADDRESS</b>	<u>                    </u>	<b>FAX NO.</b>	<u>                    </u>
	<u>                    </u>		<u>                    </u>

<b>NAME</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>NAME</b>	_____	<b>TITLE</b>	_____
<b>EMAIL</b>	_____	<b>PHONE NO.</b>	_____
<b>ADDRESS</b>	_____ _____	<b>FAX NO.</b>	_____

ORD # \_\_\_\_\_

AN ORDINANCE OF BOROUGH OF DUMONT TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

**Section 1. Affordable Housing Obligation**

- (a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (b) The Borough of Dumont Land Use Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways the Borough of Dumont shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and documented in the Housing Element.
- (c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97, as may be amended and supplemented.
- (d) The Borough of Dumont shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by COAH in accordance with N.J.A.C. 5:96 shall be available to the public at the Borough of Dumont Municipal Building, Municipal Clerk's Office, 50 Washington Avenue, Dumont, New Jersey, or from COAH at 101 South Broad Street, Trenton, New Jersey and on COAH's website, [www.nj.gov/dca/affiliates/coah](http://www.nj.gov/dca/affiliates/coah).

**Section 2. Definitions**

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Accessory apartment" means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and N.J.A.C. 5:80-26.1 et seq.

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

"Affordability average" means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

"Affordable" means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable development" means a housing development all or a portion of which consists of restricted units.

"Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

"Affordable housing program(s)" means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Assisted living residence" means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Certified household" means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

"COAH" means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

"DCA" means the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing,

plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by COAH.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by COAH’s adopted Regional Income Limits published annually by COAH.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHROP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

**Section 3. Affordable Housing Programs [\*\*NOTE: Include only programs identified as mechanisms in the Fair Share Plan that will satisfy the municipal affordable housing obligation]**

The Borough of Dumont has determined that it will use the following mechanisms to satisfy its affordable housing obligations: County Rehabilitation Program, Market to Affordable Program and Inclusionary Zoning.

**(a) Bergen County Home Improvement (Rehabilitation) Program.**

1. Bergen County’s rehabilitation program is be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
2. Both owner occupied and renter occupied units shall be eligible for County rehabilitation funds.
3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.